



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

Dear Sir or Madam:

Subject: Cancellation Notice of Pesticide Product Registration(s)

This letter serves as notice that EPA is cancelling registration number 95700-2 for failure to pay required maintenance fees. Section 4(i)(1)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136a-1(i)(1)(A)) requires that all pesticide registrants pay an annual registration maintenance fee, due by January 15 of each year, to keep their registrations in effect. This requirement applies to all registrations granted under FIFRA Section 3 (7 U.S.C. 136a) as well as those granted under FIFRA Section 24(c) (7 U.S.C. 136v(c)) to meet special local needs. Registrations for which the fee is not paid are subject to cancellation by order and without a hearing. Under FIFRA Section 4(i)(1)(M) (7 U.S.C. § 136a-1(i)(1)(M)), the Administrator may cancel by order and without hearing any product for which the full fee was not paid by January 17, 2023.

All registrants were reminded of the requirement to pay maintenance fees in a December 1, 2022 communication from the Agency. You paid initial maintenance fees, calculated pursuant to the December 1, 2022 communication, on January 17, 2023. However, in a January 13, 2023 communication, the Agency notified registrants of the need to pay increased or additional maintenance fees pursuant to new statutory requirements created by the Pesticide Registration Improvement Act of 2022 (PRIA 5).<sup>1</sup> In an April 13, 2023 communication to your former<sup>2</sup> agent, the Agency reminded you of the need to pay supplemental maintenance fees. In a May 9, 2023 communication directly to you, the Agency again reminded you of the need to pay supplemental maintenance fees. To date, you have neither paid the additional maintenance fees required nor otherwise responded to the Agency's communications.

This letter gives you notice that the pesticide product registration listed below is canceled for failure to pay the full annual registration maintenance fee, to include the supplemental payment required by PRIA 5.

**95700-2, Fabric Treated with Livinguard Technology**

This cancellation order permits the registrant to continue to sell and distribute existing stocks of the canceled product until one (1) year after the date on which the fee was due (*i.e.*, until January 17, 2024). Thereafter, the registrant is prohibited from selling or distributing the listed product. Existing stocks already in the hands of dealers or users, however, can generally be distributed, sold, or used legally until they are exhausted, provided that such sale, distribution, or use is consistent with the

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<sup>1</sup> PRIA 5, which became law on December 29, 2022, specified that increased maintenance fee amounts under FIFRA Section 4(i) were retroactively effective to October 1, 2022. Pub. L. 117-328, sec. 708(a)(2) (Dec. 29, 2022).

<sup>2</sup> On February 28, 2023, KRK Consulting, LLC, informed a different EPA representative that it was no longer serving as your agent.

terms of the previously approved labeling on, or that accompanied, the canceled product. Existing stocks are defined as those stocks of a registered pesticide product which are currently in the United States, and which have been packaged, labeled, and released for shipment prior to the effective date of the cancellation order.

Please check your records. If you believe that you already paid the full amount for your product on the attached list, please contact Brenda Minnema at [maintfee@epa.gov](mailto:maintfee@epa.gov). If your records agree with ours and you do not want to pay for additional registrations, no further action is necessary.

Sincerely,

Anita Pease, Division Director  
Antimicrobials Division